ASSEMBLY BILL   No. 2193

Introduced by Assembly Members Bass and Cohn

February 22, 2006

An act to add Section 10609.9 to the Welfare and Institutions Code, relating to child welfare.

LEGISLATIVE COUNSEL'S DIGEST

AB 2193, as introduced, Bass. Child welfare.

Existing law requires each county to provide child welfare services, and provides for the administration of various child welfare services pursuant to regulations and procedures adopted by the State Department of Social Services.

Existing law requires the department to contract with an appropriate and qualified entity to conduct an evaluation of the adequacy of current child welfare services budgeting methodology, and to convene an advisory group. Pursuant to existing law, the Director of Social Services has convened an advisory group, the Child Welfare Services Stakeholders Group, to address concerns facing the child welfare system.

Existing law declares the intent of the Legislature that the Human Resources Workgroup of the Child Welfare Services Stakeholders Group include in its next planned report the core strategies needed to establish minimum caseload standards under the redesigned child welfare services system. Existing law declares the further intent of the Legislature that the Human Resources Workgroup make recommendations for implementing the new caseload standards.

This bill would require the department, pursuant to the recommendations of the Child Welfare Services Stakeholder's Group, to establish regulations requiring counties to implement specified

minimum caseload standards for child welfare services workers. This bill would require the new caseload standards to be phased in over a 5-year period, commencing with the 2006–07 fiscal year, and to be fully implemented by the end of the 2010–11 fiscal year. The bill would allow a county to elect to provide workload relief to child welfare social workers through methods other than caseload reduction, by submitting a workload relief plan to the department. The bill would exempt a county from the caseload reduction requirements upon departmental approval of the county's workload relief plan.

By placing new requirements on counties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1   SECTION 1. The Legislature finds and declares all of the
2 following:
3   (a) The standards used to determine child welfare social
4 worker caseloads were developed in the mid-1980s and are now
5 over 20 years old.
6   (b) The child welfare service workload study conducted by an
7 independent contractor pursuant to Section 10609.5 of the
8 Welfare and Institutions Code concluded that child welfare social
9 workers currently bear caseloads that are far in excess of what is
10 reasonable to meet the requirements of existing statutory and
11 case law.
12   (c) California's child welfare system is now severely
13 understaffed as a result of these out-of-date caseload standards.
14   (d) The effects of excessive child welfare worker caseloads on
15 children and their families can be devastating and may include all
16 of the following:

1   (1) Inadequate response to reports of child abuse and neglect.
2   (2) Inability to ensure that out-of-home placements are
3 appropriate.
4   (3) Reduced monitoring of children in out-of-home
5 placements.
6   (4) Reduced service to families attempting to reunify with
7 their children.
8   (5) Poor outcomes for foster youth and their families with
9 children in foster care.
10   SEC. 2. Section 10609.9 is added to the Welfare and
11 Institutions Code, to read:
12   10609.9. (a) (1) The department shall establish regulations
13 to require, except as provided in subdivision (b), that counties
14 implement minimum caseload standards that reflect all of the
15 following child welfare services worker to child ratios:
16   (A) Screening, hotline, and intake: one worker per 116.10
17 children.
18   (B) Emergency response: one worker per 13.03 children.
19   (C) Family maintenance: one worker per 14.18 children.
20   (D) Family reunification: one worker per 15.58 children.
21   (E) Permanency planning: one worker per 23.69 children.
22   (2) The workload standards established under paragraph (1)
23 shall be phased in over a five-year period, commencing in the
24 2006–07 fiscal year, so that 20 percent of the caseload reductions
25 required under those standards is completed each fiscal year, and
26 the new caseload standards are fully implemented by the end of
27 the 2010–11 fiscal year.
28   (b) Notwithstanding subdivision (a), a county may elect to
29 provide workload relief to child welfare social workers through
30 methods other than the caseload reductions required by
31 subdivision (a). The county shall submit a plan to the department
32 describing the workload relief measure that the county will
33 implement. In developing a workload relief plan, the county shall
34 consult with representatives of child welfare services, consumers,
35 children's advocacy organizations, and child welfare social
36 worker organizations. Upon approval by the department, the
37 county shall be exempt from the requirements of subdivision (a).
38   (c) In establishing compliance thresholds for outcome
39 measures developed by the department pursuant to Section
40 10601.2, the department shall take into consideration the extent

1 to which the child welfare system is funded to meet the caseload
2 reductions or workload relief as required in this section.
3   SEC. 3. If the Commission on State Mandates determines that
4 this act contains costs mandated by the state, reimbursement to
5 local agencies and school districts for those costs shall be made
6 pursuant to Part 7 (commencing with Section 17500) of Division
7 4 of Title 2 of the Government Code.

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